

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

Glorines Tirado-Maldonado;
Santos Maldonado-González and
Carmen Robles-Burgos

Plaintiffs

v.

United States of America; U.S.
Department of Justice, Drug
Enforcement Administration; ABC
Insurance Company.

Defendants

CIV. NO. 12-1673 (PG)

ORDER

The Complaint in the instant case was filed on August 16, 2012. On November 9, 2012 defendants, without submitting to the court's jurisdiction, moved to dismiss the Complaint for lack of proper service pursuant to Fed. R. Civ. P. 4(i). Docket No. 6. Defendants alleged that the Attorney General of the United States had not been served with process. Likewise, defendants asserted that neither the United States Drug Enforcement Administration ("DEA") nor the United States Department of Justice ("DOJ") had been served.

Plaintiffs responded on November 26, 2012. Docket No. 7. In essence, plaintiffs adduced that the summons directed to said parties "couldn't be found" and requested that the summons directed to the U.S. Secretary of Justice and the DEA be reissued.

On December 16, 2012 plaintiffs filed a "Motion to Withdraw Urgent Motion," Docket No. 9, whereby they informed the Court that the original summons for said defendants had been found and mailed through U.S.P.S. Certified Mail to the parties within the 120 days provided by Fed. R. Civ. P. 4(m). Hence, plaintiffs cured the initial deficiency in the service of process.

For that reason, plaintiff's Motion to Dismiss for lack of proper service is DENIED.

IT IS SO ORDERED.

In San Juan, Puerto Rico, September 30, 2013.

s/ Juan M. Pérez-Giménez
JUAN M. PEREZ-GIMENEZ
SENIOR U.S. DISTRICT JUDGE